

**RESPONSE FROM MR. STEVEN MENDELL, OWNER, WESTLAND/HALLMARK
MEAT PACKING CO. TO LETTER FROM DOMESTIC POLICY
SUBCOMMITTEE, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM**

1)

What are the challenges to full compliance with federal and state law on food safety and humane animal handling faced by owners of large scale processing and slaughter plants? Please include in your comments how, if at all, factors such as daily volume of animal arrivals, rate of slaughter, time of day, and condition of animals at the time of arrival affect the ability of a facility to be in full compliance at all times.

The challenges that may hinder a company from fulfilling full compliance are mostly present in harvesting facilities.

In order of importance, the challenges a harvesting plant would encounter that would affect the ability of a facility to be in full compliance would be employee participation in company policy and procedures (performing specific job tasks), origin of the livestock and cattle transportation.

First, the challenge is making sure all employees are performing their job duties, tasks, and moral obligations on a daily basis; employee participation is key. It is crucial that all employees comply with all regulations no matter the size of the plant. Westland Meat Company and Hallmark Meat Packing fully train all employees repetitively throughout his/her career at either company. It is the responsibility of all employees to carry out their job tasks within the legal limits and parameters in accordance with the policies and procedures set forth by the USDA/FSIS and the company itself.

Secondly, the origin of livestock is of great importance in making sure all harvesting plants are in full compliance. Currently, harvesting facilities bear all the responsibility in the humane treatment of animals; Dairies and stockyards need to have USDA/FDA procedures in place. Cull cows should not be allowed to leave either facility without some sort of government inspection and/or certification. Humane handling procedures should be implemented at all levels from cow conception until harvesting.

Finally, cattle transportation needs to be taken into consideration to ensure full compliance. Cull cows need to arrive at a harvesting facility in good condition. All cows need to be treated humanly throughout their life span, the transportation of cattle seems to be a grey area when it comes to humane handling. Again, as an owner I have to assume that the drivers have been properly trained in live animal hauling methods and safety. I also, have to assume that these animals are treated humanly from point A (dairy and/or stockyard) to point B (harvesting facility).

I feel that cattle drivers and live animal transportation companies should follow strict human handling guidelines and should be found accountable when a cull cow has passed inspection at the Dairy and/or stockyard and suddenly is no longer ambulatory during the unloading process at the harvesting facility. A special license for animal hauling and human handling training should be required.

2)

In your opinion, is greater transparency into actual practices at large scale facilities necessary to ensure compliance with federal law regarding food safety and human handling of animals? What forms of increased transparency, i.e., video surveillance, spot check audits by FSIS inspectors, open door policy for retailers and consumers are the most efficient in terms of cost and benefit to achieve that goal? Is increased transparency sufficient to ensure compliance?

Yes; video surveillance would be the most efficient form of increased transparency and it would be the most economically practical in order to guarantee all harvesting plants are treating the livestock in a humane manner. Video camera's should primarily be used in the livestock area; especially the knocking box.

On the USDA/FSIS level, I would suggest a USDA/FSIS presence in the livestock pens, single file chute and knocking box at all times, Video Surveillance is sufficient to achieve the goal of "Increased Transparency," but all company and government staff needs to work together in unison.

Food safety and humane handling is multifaceted, a company needs to have strong company policies, procedures and training programs in place: USDA/FSIS regulations, audits and video surveillance will only help enhance the total food safety package and regulatory humane handling compliance.

3) **During a recent phone call you had with my Subcommittee staff, you mentioned that video surveillance is the only way to ensure "100 percent surveillance." Please elaborate what you mean by that.**

"100 percent surveillance," in the livestock harvesting area seems to be the only reasonable solution. It would require that all harvesting personnel abide by strict rules and regulations. Exemplary training programs are already in place, video surveillance would only help the management staff keep track of all activity in the livestock/knocking box area and if the suggestion given in question #1 regarding government officials in the livestock area at all times is taken into consideration, it would also, help the USDA/FSIS with accountability.

4)

I understand that you have encouraged other plant owners in the meat industry to install video monitoring in their processing and slaughter plants. Why did you encourage them to do so? Please evaluate the reasons why some owners would resist installing video monitoring.

I did not suggest any processing plants install video surveillance, only harvesting facilities. Although, video surveillance may be the next required step for processing facilities. The only other reasonable solution for all harvesting plants to follow proper procedures themselves would be video surveillance and USDA/FSIS presence in the livestock/knocking box area. All employees who work in the pens are given the training, the knowledge and the tools necessary to perform their jobs in a humane, productive, and legal manner. I mentioned earlier one of the greatest challenges harvesting plants encounter was ensuring personnel follow proper procedures and practices; video surveillance would virtually eliminate this challenge.

The only reason I would assume some owners would resist installing video monitoring would be the cost, legal liability and/or accountability.

5) **You have stated that you were unaware of the practices filmed at your plant by undercover investigators from the Humane Society. Yet, I understand that your plant has been regularly audited by independent third parties, by your own management as well as by the USDA which conducted audits of you plant in 2005 and 2007. In your opinion, what explains the failure of those regulators and auditors to discover what the Humane Society documented?**

First, to clarify some facts, In 2007 Westland Meat Company/Hallmark Meat Packing was subject to 29 audits:

1 USDA/FSIS audit conducted by Dr. Knox

12 ARC Branch Audits

12 Internal Audits

4 Independent third party audits (Siliker Laboratories, Windsor Foods, S&S/Jack in the Box, and HACCP Consulting Group).

The events depicted on the subject video were isolated incidents by company personnel who were properly trained in all humane handling procedures; all training was documented and is verifiable. We can only speculate why an employee(s) acted in an inhumane manner; these employees acted against all company procedures, they were in complete disregard to all documented training, audits, and USDA/FSIS regulations.